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**BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

**MARIE AMY HARRIS  
3325 N. Grannen Road  
Tucson, AZ 85745**

**Registered Nurse License No. 277582**

Respondent.

Case No. 2012-334

**DEFAULT DECISION AND ORDER**

[Gov. Code, §11520]

**STATEMENT OF FACT**

1. On or about December 1, 2011, Complainant Louise R. Bailey, M.Ed., RN, in her official capacity as the Executive Officer of the Board of Registered Nursing, Department of Consumer Affairs, filed Accusation No. 2012-334 against Marie Amy Harris (Respondent) before the Board of Registered Nursing. (Accusation attached as Exhibit A.)

2. On or about April 30, 1977, the Board of Registered Nursing (Board) issued Registered Nurse License No. 277582 to Respondent. The Registered Nurse License expired on March 31, 1979, and has not been renewed.

3. On or about December 1, 2011, Respondent was served by Certified and First Class Mail copies of the Accusation No. 2012-334, Statement to Respondent, Notice of Defense, Request for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and 11507.7) at Respondent's address of record which, pursuant to California Code of

Regulations, title 16, section 1409.1, is required to be reported and maintained with the Board, which was and is: 3325 N. Grannen Road, Tucson, AZ 85745.

1           4.    Service of the Accusation was effective as a matter of law under the provisions of  
2 Government Code section 11505(c) and/or Business & Professions Code section 124.

3           5.    On or about December 28, 2011, The Board received a return receipt post card from  
4 the United States Postal Service showing that the certified mail containing the Accusation  
5 package was delivered on December 14, 2011 and signed by Marie Harris.

6           6.    Government Code section 11506 states, in pertinent part:

7                   (c) The respondent shall be entitled to a hearing on the merits if the respondent  
8 files a notice of defense, and the notice shall be deemed a specific denial of all parts  
9 of the accusation not expressly admitted. Failure to file a notice of defense shall  
constitute a waiver of respondent's right to a hearing, but the agency in its discretion  
may nevertheless grant a hearing.

10          7.    Respondent failed to file a Notice of Defense within 15 days after service of the  
11 Accusation, and has waived her right to a hearing on the merits of Accusation No. 2012-334.

12          8.    California Government Code section 11520 states, in pertinent part:

13                   (a) If the respondent either fails to file a notice of defense or to appear at the  
14 hearing, the agency may take action based upon the respondent's express admissions  
15 or upon other evidence and affidavits may be used as evidence without any notice to  
respondent.

16          9.    Pursuant to its authority under Government Code section 11520, the Board finds  
17 Respondent is in default. The Board will take action without further hearing and, based on the  
18 relevant evidence contained in the Default Decision Evidence Packet in this matter, as well as  
19 taking official notice of all the investigatory reports, exhibits and statements contained therein on  
20 file at the Board's offices regarding the allegations contained in Accusation No. 2012-334, finds  
21 that the charges and allegations in Accusation No. 2012-334, are separately and severally, found  
22 to be true and correct by clear and convincing evidence.

23          10.   Taking official notice of its own internal records, pursuant to Business and  
24 Professions Code section 125.3, it is hereby determined that the reasonable costs for Investigation  
25 and Enforcement is \$ 870.00 as of March 27, 2012.

26                                   DETERMINATION OF ISSUES

27          1.    Based on the foregoing findings of fact, Respondent Marie Amy Harris has subjected  
28 her Registered Nurse License No. 277582 to discipline.

1           2.    The agency has jurisdiction to adjudicate this case by default.  
2           3.    The Board of Registered Nursing is authorized to revoke Respondent's Registered  
3 Nurse License based upon the following violations alleged in the Accusation which are supported  
4 by the evidence contained in the Default Decision Evidence Packet in this case.:  
5           a.    Respondent is subject to disciplinary action pursuant to Code section 2761,  
6 subdivision (a)(4), on the grounds of unprofessional conduct, in that she was disciplined by the  
7 Arizona State Board of Nursing ("Arizona Board"), as follows: On or about December 29 2009,  
8 pursuant to Consent Agreement and Order No. 0909019 ("Order") in the disciplinary proceeding  
9 titled "In the Matter of Registered Nurse License No. RN118277", the Arizona Board revoked  
10 Respondent's license to practice as a registered nurse in the State of Arizona.

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ORDER

IT IS SO ORDERED that Registered Nurse License No. 277582, heretofore issued to Respondent Marie Amy Harris, is revoked.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective on August 6, 2012.  
It is so ORDERED July 4, 2012

  
\_\_\_\_\_  
FOR THE BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS

Attachment:  
Exhibit A: Accusation

## Exhibit A

Accusation

1 KAMALA D. HARRIS  
Attorney General of California  
2 ARTHUR D. TAGGART  
Supervising Deputy Attorney General  
3 JEFFREY M. PHILLIPS  
Deputy Attorney General  
4 State Bar No. 154990  
1300 I Street, Suite 125  
5 P.O. Box 944255  
Sacramento, CA 94244-2550  
6 Telephone: (916) 324-6292  
Facsimile: (916) 327-8643  
7 Attorneys for Complainant

8 BEFORE THE  
9 BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
10 STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No.

2012 - 334

12 MARIE AMY HARRIS  
3325 N. Grannen Road  
13 Tucson, AZ 85745  
Registered Nurse License No. 277582

ACCUSATION

14 Respondent.

15 Complainant alleges:

16 PARTIES

17 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her  
18 official capacity as the Executive Officer of the Board of Registered Nursing ("Board"),  
19 Department of Consumer Affairs.

20 2. On or about April 30, 1977, the Board issued Registered Nurse License Number  
21 277582 to Marie Amy Harris ("Respondent"). Respondent's registered nurse license expired on  
22 March 31, 1979.

23 STATUTORY PROVISIONS

24 3. Business and Professions Code ("Code") section 2750 provides, in pertinent part, that  
25 the Board may discipline any licensee, including a licensee holding a temporary or an inactive  
26 license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing  
27 Practice Act.  
28

1 4. Code section 2764 provides, in pertinent part, that the expiration of a license shall not  
2 deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or  
3 to render a decision imposing discipline on the license.

4 5. Code section 2761 states, in pertinent part:

5 The board may take disciplinary action against a certified or licensed  
6 nurse or deny an application for a certificate or license for any of the following:

7 (a) Unprofessional conduct . . . .

8 . . . .  
9 (4) Denial of licensure, revocation, suspension, restriction, or any other  
10 disciplinary action against a health care professional license or certificate by another  
11 state or territory of the United States, by any other government agency, or by another  
12 California health care professional licensing board. A certified copy of the decision  
13 or judgment shall be conclusive evidence of that action . . .

#### 12 COST RECOVERY

13 6. Code section 125.3 provides, in pertinent part, that the Board may request the  
14 administrative law judge to direct a licensee found to have committed a violation or violations of  
15 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
16 enforcement of the case.

#### 17 CAUSE FOR DISCIPLINE

##### 18 (Disciplinary Actions by the Arizona State Board of Nursing)

19 7. Respondent is subject to disciplinary action pursuant to Code section 2761,  
20 subdivision (a)(4), on the grounds of unprofessional conduct, in that she was disciplined by the  
21 Arizona State Board of Nursing ("Arizona Board"), as follows: On or about December 29 2009,  
22 pursuant to Consent Agreement and Order No. 0909019 ("Order") in the disciplinary proceeding  
23 titled "In the Matter of Registered Nurse License No. RN118277", the Arizona Board revoked  
24 Respondent's license to practice as a registered nurse in the State of Arizona. The Board  
25 furthered ordered that the revocation would be stayed as long as Respondent remained in  
26 compliance with the Order and that during the stay of revocation, Respondent would be placed on  
27 probation for 12 months on terms and conditions, followed by standard probation for 24 months.  
28 Condition 24 of Respondent's probation provided that if Respondent was non-compliant with the

1 terms of the Order in any way, the stay of revocation shall be lifted and Respondent's license shall  
2 be automatically revoked. A true and correct copy of the Order is attached as **exhibit A** and  
3 incorporated herein by reference. Respondent admitted that in 2006, she reported that she was  
4 addicted to Ultram and was writing prescriptions for herself, that she was buying Ultram and  
5 Tylenol #3 in Mexico, and that she had a history of alcohol and drug abuse, including diversion of  
6 Percocet and prescription fraud. Respondent also admitted that on or about July 3, 2006, she  
7 signed a CANDO stipulated agreement (diversion program) and that she was discharged from  
8 CANDO on or about September 18, 2009, for non-compliance with her stipulated agreement  
9 (Respondent failed to abstain from unauthorized substances, failed to submit to random urine  
10 drug screens, failed to submit reports in the required time frame, failed to provide an employer  
11 acknowledgment form, and failed to provide physician authorization for medications). On or  
12 about January 18, 2011, the Arizona Board sent Respondent a letter and a Notice of Revocation,  
13 stating that her license was automatically revoked due to her non-compliance with the terms of  
14 her probation. True and correct copies of the Arizona Board's letter to Respondent dated January  
15 18, 2011 and the Notice of Revocation are attached as **exhibit B** and incorporated by reference.

16 **PRAYER**

17 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
18 and that following the hearing, the Board of Registered Nursing issue a decision:

19 1. Revoking or suspending Registered Nurse License Number 277582, issued to Marie  
20 Amy Harris;

21 2. Ordering Marie Amy Harris to pay the Board of Registered Nursing the reasonable  
22 costs of the investigation and enforcement of this case, pursuant to Business and Professions  
23 Code section 125.3;

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3: Taking such other and further action as deemed necessary and proper.

DATED:

December 1, 2011

Louise R. Bailey  
LOUISE R. BAILEY, M.D., RN

Executive Officer

Board of Registered Nursing

Department of Consumer Affairs

State of California

Complainant

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**EXHIBIT A**

**Consent Agreement and Order No. 0909019**

ARIZONA STATE BOARD OF NURSING

IN THE MATTER OF REGISTERED NURSE  
LICENSE NO. RN118277

MARIE AMY HARRIS  
RESPONDENT

CONSENT AGREEMENT  
AND  
ORDER NO. 0909019

CONSENT AGREEMENT AND ORDER

A complaint charging Marie Amy Harris ("Respondent") with violation of the Nurse Practice Act has been received by the Arizona State Board of Nursing ("Board"). In the interest of a settlement of the above-captioned matter, consistent with the public interest, statutory requirements and the responsibilities of the Board, and pursuant to A.R.S. § 41-1092.07 (F)(5), the undersigned parties enter into this Consent Agreement and Order ("Order") as a final disposition of this matter.

Based on the evidence before it, the Board makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. Respondent holds Board issued registered nurse license no. RN118277.
2. On or about June 14, 2006, Respondent reported that she was addicted to Ultram and that she was writing prescriptions for herself. She admitted she was also buying Ultram and Tylenol #3 in Mexico.
3. On or about July 3, 2006, Respondent met with Board staff. She acknowledged a personal history of alcohol and drug abuse, including diversion of Percocet and prescription fraud.
4. On or about July 3, 2006, Respondent signed a CANDO Stipulated Agreement which in part required her to attend a chemical dependency treatment program and aftercare; enroll in a drug screening program and submit to required monthly random drug screens; attend

two AA meetings a week and a weekly nurse support group; abstain from the use of unauthorized drugs, alcohol and narcotics; notify CANDO of any prescriptions received; refrain from working as a nurse until approved by the CANDO consultant and upon return to nursing practice abide by standard nursing practice restrictions which included no access to or administration of narcotics for twelve months.

5. On or about August 9, 2006 and December 11, 2006, Respondent was notified she failed to attend the required number of AA meetings in violation of her CANDO Stipulated Agreement.

6. On or about June 12, 2007, Respondent submitted a urine drug screen that did not register a temperature. She was instructed to remain at the lab and submit a second specimen; she did not stay to submit a specimen.

7. On or about June 13, 2007, Respondent submitted a specimen that was positive for benzodiazepines and Ultram. There was no documentation of physician authorization for benzodiazepines or Ultram in Respondent's CANDO file in violation of her CANDO Stipulated Agreement.

8. On or about June 28, 2007, Respondent met with Board staff. She stated that while cleaning she found an Ultram and half a blue pill she thinks was Valium and she took them because she was experiencing pain.

9. On or about June 28, 2007, Harris signed a First Addendum to Stipulated Agreement which, in part, required her to undergo a relapse evaluation; submit two urine drug screens per month for a minimum of six months; attend one AA meeting per day for 90 days followed by three AA meetings a week; and no access to or administration of narcotics for twelve months.

10. Respondent failed to renew her nursing license in or about July 2007 in violation of her CANDO Stipulated Agreement.

11. On or about August 8, 2007, Respondent failed to submit a random urine drug screen in violation of her CANDO Stipulated Agreement.

12. On or about August 14, 2007, Respondent's supervisor notified Board staff that Respondent was exhibiting inappropriate behavior at work on or about August 10, 2007 and that she had a major car accident on or about August 11, 2007 on her way to work.

13. On or about April 13, 2009, Respondent notified Board staff that she was terminated from Sonora Behavioral Health because she took some cigarettes from the patient's "community cigarette box" for her personal use.

14. Respondent failed to submit her Self-Report, AA Attendance Report and Performance Evaluation for the reporting period ending March 2008 in the time frame required by her CANDO Stipulated Agreement..

15. On or about May 1, 2009, Respondent failed to submit a random urine drug screen in violation of her CANDO Stipulated Agreement.

16. Respondent failed to submit her self-report and AA attendance report for the reporting period ending May 2009 in the time frame required by her CANDO Stipulated Agreement..

17. On or about July 16, 2009, Respondent was notified that she needed to complete a relapse prevention evaluation because she missed two random urine drug screens.

18. On or about August 24, 2009, Board staff received Respondent's self-report for the reporting period ending July 31, 2009. Respondent indicated that she was starting a new job at University Physician's Hospital. There was no Employer Acknowledgment Form in Respondent's CANDO file in violation of her CANDO Stipulated Agreement. Respondent also

reported that she was prescribed Estradiol, Levothyroxine, and Tramadol by Dr. Phelps. No current documentation of prescriptions was in Respondent's CANDO file in violation of her CANDO Stipulated Agreement.

19. On or about September 16, 2009, Respondent failed to submit a random urine drug screen in violation of her CANDO Stipulated Agreement.

20. On or about September 16, 2009, Respondent failed to submit a random urine drug screen in violation of her CANDO Stipulated Agreement.

21. On or about September 18, 2009, Respondent was discharged from CANDO for non-compliance with her CANDO Stipulated Agreement. Non-compliance included but was not limited to the failure to abstain from unauthorized substances; the failure to submit random urine drug screens; failure to submit reports in the required time frame; failure to provide an Employer Acknowledgment Form; and failure to provide physician authorization for medications.

#### **CONCLUSIONS OF LAW**

Pursuant to A.R.S. §§ 32-1606, 32-1663, and 32-1664, the Board has subject matter and personal jurisdiction in this matter.

The conduct and circumstances described in the Findings of Fact constitute violations of A.R.S. § 32-1663 (D) as defined in § 32-1601(16)(d), (g), (h), (i) and (j) (adopted effective November 12, 2005) and A.A.C. R4-19-403(B)(1), (8b), (17), (18) and (31) (adopted effective November 12, 2005) and 403(1), (15), (17) and (18) (adopted effective February 2, 2009).

The conduct and circumstances described in the Findings of Fact constitute sufficient cause pursuant to A.R.S. § 32-1664(N) to revoke, suspend or take disciplinary action against the license of Respondent to practice as a registered nurse in the State of Arizona.

Respondent admits the Board's Findings of Fact and Conclusions of Law.

In lieu of a formal hearing on these issues, Respondent agrees to issuance of the attached Order and waives all rights to a hearing, rehearing, appeal, or judicial review relating to the Order, except in the limited circumstance(s) specified in paragraph 5, pages 10 and 11 and paragraph 12, pages 15 and 16 of this Order.

Respondent understands the right to consult legal counsel prior to entering into the Order and such consultation has either been obtained or is waived.

Respondent understands that the term "Order" used throughout this document refers to all pages of the document including Findings of Fact, Conclusions of Law and all suspension/probationary terms and conditions and paragraphs of the Order.

Respondent understands that this Consent Agreement is effective upon its acceptance by the Board and by Respondent as evidenced by the respective signatures thereto. Respondent's signature obtained via facsimile shall have the same effect as an original signature. Once signed by Respondent, the agreement cannot be withdrawn without the Board's approval or by stipulation between Respondent and the Board's designee.

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The effective date of this Order is the date the Consent Agreement is signed by the Board and by Respondent. If the Consent Agreement is signed on different dates, the later date is the effective date.

Marie Harris RN  
Respondent

Dated: 12/29/09

ARIZONA STATE BOARD OF NURSING

SEAL

Joey Ridenour RN MN FACC  
Joey Ridenour, R.N., M.N., F.A.A.N.  
Executive Director

Dated: November 19, 2009

CONNIE LINCKEN:15277 - HARRIS

ORDER

In view of the above Findings of Fact, Conclusions of Law and consent of Respondent, the Board hereby issues the following Order:

A. Respondent's registered nurse license number RN118277 is hereby revoked; however, the revocation is stayed for as long as Respondent remains in compliance with this Order. During the stay of the revocation, Respondent's registered nurse license number RN118277 is placed on probation for twelve months with terms and conditions, followed by probation for 24-months. Before termination of this Order, Respondent shall work as a registered nurse for a minimum of twelve months (not less than sixteen hours a week).

B. If Respondent is non-compliant with any of the terms of the Order during the twelve month stayed revocation period, the stay of the revocation shall be lifted and



Respondent's license shall be automatically revoked for a minimum period of five years. Except as provided in paragraph 5, pages 10 and 11 and paragraph 12, pages 15 and 16 of this Order, the Board or its designee, in its sole discretion, shall determine noncompliance with the stayed portion of the Order. With the exception of the provisions identified in paragraph 5 pages 10 and 11 and paragraph 12, pages 15 and 16, Respondent waives any and all rights to any further review, hearing, rehearing or judicial review of any revocation imposed pursuant to this paragraph.

C. If Respondent is noncompliant with any of the terms of the Order during the twenty-four month standard probation portion of the Order, Respondent's noncompliance shall be reviewed by the Board for consideration of possible further discipline on Respondent's nursing license.

D. At any time Respondent is required by terms of the Order to provide a copy of the Order to another individual or facility the Respondent must provide all pages of the Consent Agreement and Order.

E. If Respondent is convicted of a felony, Respondent's license shall be automatically revoked for a period of five years. Respondent waives any and all rights to a hearing, rehearing or judicial review of any revocation imposed pursuant to this paragraph.

F. The probation is subject to the following terms and conditions:

**TERMS OF PROBATION (Stayed Revocation and Standard)**

1. Stamping of License

Within seven days of the effective date of this Order, Respondent shall submit her license to be stamped "PROBATION." While this Order is in effect, if the Board issues any certificates or licenses authorized by statute, except a nursing assistant certificate, such certificate

or license shall also be stamped "PROBATION." Respondent is not eligible for a multistate "Compact" license.

2. Neuropsychological Evaluation/Treatment

Respondent shall make an appointment to undergo a neuropsychological evaluation with psychometric testing by a Board-approved psychologist to be completed within sixty days of the effective date of the Order. Respondent shall execute the appropriate release of information form(s) to allow the evaluator to communicate information to the Board or its designee. Respondent shall also execute a release of information form to allow the Board Monitoring Consultant to release a copy of the reports from Jacquelyn St. Germaine PhD to the evaluator. Respondent consents to the Board providing the evaluator with any documents deemed pertinent by the Board or its designee, which may include the Board's investigative report. Prior to the evaluation, Respondent shall furnish a copy of this Consent Agreement and Order to include Findings of Fact, Conclusions of Law, and Order to the evaluator who shall verify receipt of the Consent Agreement and Order to include Findings of Fact in a written report on letterhead to the Board. Respondent shall direct the evaluator to provide a report to the Board summarizing the evaluation within thirty days after the evaluation is completed.

The report shall include a history and physical, relevant laboratory data if appropriate, psychological testing if appropriate, recommendations for treatment, if any, and an assessment as to Respondent's ability to function safely in nursing.

If it is recommended that Respondent undergo medical treatment and/or psychological therapy or counseling, Respondent shall, within seven days of notification of the recommendation(s), provide to the Board or its designee for prior approval, the name and qualifications of treatment professional(s) with appropriate level of expertise of Respondent's choice. Upon approval of the treatment professional(s), Respondent shall provide a copy of the

entire consent agreement which the treatment professional(s) shall verify in writing on letterhead in their first report to the Board. Respondent shall undergo and continue treatment until the treatment professional(s) determines and reports to the Board in writing and on letterhead, that treatment is no longer considered necessary. Respondent shall have the treatment professional(s) provide written reports to the Board every quarter. The Board reserves the right to amend this Order based on the evaluation results or the treatment professional's recommendations.

3. Nurse Recovery Group

Within seven days of the effective date of this Order, Respondent shall enroll in a Board-acceptable Nurse Recovery Group if a group is available within forty miles. Respondent shall sign release of information forms allowing the group facilitator to inform the Board, in writing and on letterhead, of Respondent's entry and progress in the group. Respondent shall attend a Nurse Recovery Group once per week and have no "Unexcused" absences or "No call/No show" occurrences.

4. Participation in AA/NA

(a) Within seven days of the effective date of this Order, and throughout the term of this Order, Respondent shall participate at least three times weekly, or as recommended by the Rehabilitation Program, in Alcoholics Anonymous, Narcotics Anonymous, or an equivalent program, and shall submit to the Board, in writing on Board-approved forms, quarterly reports which are initialed by her sponsor. The first report is due by the end of the first month after the effective date of the Order, and quarterly thereafter according to the assigned reporting dates.

(b) Respondent shall obtain a temporary sponsor, if participating in a twelve-step program, within thirty days of the effective date of this Order and a permanent sponsor

within sixty to ninety days. Respondent shall maintain a sponsor relationship throughout the terms of this Order.

5. Drug Testing

Within seven days of the effective date of this Order, and throughout the term of this Order, Respondent shall remain enrolled in a program that meets Board criteria for random drug testing. Random drug testing shall be done at a minimum of twice per month, for a period of eighteen months, thereafter, a minimum of once per month, and may be required more frequently as requested by the Board or its designee. Respondent shall notify the drug testing laboratory and the Board, in writing, of unavailability to test before the anticipated absence. If Respondent is unable to submit a specimen on a date requested due to illness, Respondent must provide in writing within seven days of the missed specimen, documentation from a medical provider who has personally seen Respondent on the day of the requested drug test confirming that Respondent was not physically able to report to the laboratory for drug testing. Otherwise failing to submit to a drug test on a day when a drug test has been requested by the Board, its designee, or the laboratory will constitute noncompliance with this Order, NOT subject to further review. A positive drug test showing evidence of any drug other than an authorized drug shall result in immediate notification of Respondent's employer by the Board. However, any occurrence of the following constitutes noncompliance with this Order, subject to further review if contested in writing by Respondent: a positive drug test showing evidence of any drug other than an authorized drug; submission of a specimen where the integrity has been compromised as indicated by the presence of adulterants; or submission of a urine sample that is below the acceptable volume or temperature to be tested. If contested by Respondent, Respondent shall, within five days of being notified of the noncompliance, submit a written request for further review and the reason(s) for contesting the results. If so contested, the

noncompliance shall be investigated by Board staff and reviewed and substantiated by the Board's designee, to include a written verification attesting to the validity and reliability of Respondent's drug screening results from the Toxicologist or Medical Review Officer affiliated with the drug screening laboratory. If so investigated, reviewed, substantiated and verified, the stay of revocation shall be lifted and Respondent's license automatically revoked, NOT subject to further review.

6. Abstain from Alcohol Use

Respondent shall completely abstain from the use of alcohol.

7. Abstain from Unauthorized Drug Use/Proof of Prescription

Respondent shall completely abstain from the use or possession of controlled substances, and dangerous drugs as defined by law, or any drugs requiring a prescription.

Orders prohibiting Respondent from personal use or possession of controlled substances or dangerous drugs do not apply to medications lawfully prescribed to Respondent for an illness or condition by a medical provider. During the duration of this Order, Respondent shall select one medical provider to coordinate her health care needs and to be aware of all prescriptions utilized. Within seven days of the effective date of this Order, Respondent shall cause all medical providers who have prescribed medications which are currently being used by the Respondent daily or on an as needed basis to provide in writing, on letterhead, verification of knowledge of Respondent's history of substance use, awareness of Respondent's Consent Agreement and Order with the Board, and documentation of current medications prescribed for Respondent. Respondent shall execute all release of information form(s) as required by the Board or its designee so that Respondent's medical providers shall be able to communicate information with the Board. Prior to receiving treatment from any other medical provider(s), Respondent shall notify the medical provider(s) of Respondent's history of substance use and of

the existence of the Order. DURING THE COURSE OF THE ORDER RESPONDENT SHALL CAUSE ANY AND ALL PROVIDERS TO NOTIFY THE BOARD OF THEIR AWARENESS OF RESPONDENT'S HISTORY OF SUBSTANCE USE, BOARD ORDER, AND NOTIFICATION OF ANY MEDICATIONS ORDERED BY THE PROVIDER. THE NOTIFICATION SHALL BE MADE IN WRITING WITHIN ONE WEEK OF THE PROVIDER'S ISSUANCE OF THE PRESCRIPTION.

If Respondent has a lawful prescription for a controlled substance, Respondent shall cause her prescribing provider to provide monthly reports to the Board regarding the continued need for the prescribed narcotic or mood-altering medications within seven days of the 30<sup>th</sup> day of each month. The Board or its designee may, at any time, request the provider to document the continued need for prescribed medications. Such report from the provider shall be received by the Board within 14 days of the request. Respondent shall keep a written record of medications taken, including over-the-counter drugs, and produce such record upon request by the Board or its designee.

8. One Medical Provider

Within thirty days of the effective date of this Order, Respondent shall submit to the Board for approval the name of one Medical Provider, of Respondent's choice to conduct medical treatment for Respondent. Within seven days of receipt of approval from the Board Respondent shall make an appointment to begin participation in treatment. Respondent shall immediately execute the appropriate release of information form(s) to allow the treating professional(s) to communicate information to the Board or its designee, and Respondent shall immediately provide a copy of the entire Consent Agreement to all treating professional(s). Within seven days of the beginning of treatment, Respondent shall cause any and all treating professional(s) to provide written verification of enrollment in treatment and verifying receipt of

the consent agreement. Thereafter, Respondent shall cause any and all treating professional(s) to provide quarterly reports to the Board according to the quarterly reporting schedule assigned to Respondent. Respondent shall continue undergoing treatment until the treating professional(s) notify the Board, in writing on letterhead, that treatment is no longer needed. The Board reserves the right to amend the Order based on recommendation(s) of treating professional(s).

9. Pharmacy Profiles

Throughout the duration of this Order, Respondent shall use only one pharmacy from which to obtain his prescriptions. Within thirty days of the effective date of the Consent Agreement, Respondent shall submit in writing to the Board the name of every pharmacy and/or facility from which Respondent is currently obtaining prescription medications, and shall submit the name of the pharmacy from which she chooses to obtain future prescriptions. Throughout the duration of the Order, Respondent must inform the Board in writing within seven days of any additions or changes in pharmacies from which Respondent obtains medications. Respondent shall submit a copy of all pharmacy profiles to the Board on a quarterly basis according to the assigned reporting due dates, and upon request from the Board or its designee. The first report shall be due on the first quarterly due date after the effective date of this Order.

10. Relapse Prevention Evaluation

Eighteen months prior to the termination of the Order or as requested by the Board or its designee, Respondent shall be evaluated by a relapse prevention therapist, who is at minimum, Master's prepared. Respondent shall comply with any treatment recommendations as recommended by the relapse prevention evaluator.

If recommended by the evaluator, Respondent shall enroll in a relapse prevention program or other recommended therapy within thirty days of being notified by the Board or its

designee of the recommendations from the evaluator. Respondent shall cause the program facilitator to inform the Board, in writing and on letterhead, verification of enrollment in the program. Prior to entry into a relapse prevention program or any type of other recommended therapy, Respondent shall provide a copy of this Consent Agreement and Order to the program facilitator. Respondent shall sign release of information form(s) to allow the facilitator to communicate information with the Board or its designee. Respondent shall participate in the relapse prevention program or therapy until the Board receives written verification from the facilitator that Respondent has successfully completed the program. During participation in the program, Respondent shall cause the program facilitator to provide to the Board, in writing on Board-approved forms, evidence of satisfactory attendance, participation, discharge, and successful completion of the program. Reports are due on the first quarterly reporting date after entry into the relapse prevention program and quarterly thereafter, according to schedule.

Violation of this paragraph is noncompliance with the Order.

11. Notification of Practice Settings

Any setting in which Respondent accepts employment, which requires RN licensure, shall be provided with a copy of the entire Order on or before the date of hire. Within three calendar days of Respondent's date of hire, Respondent shall cause her immediate supervisor to inform the Board, in writing and on employer letterhead, acknowledgment of the supervisor's receipt of a copy of this Consent Agreement and Order and the employer's ability to comply with the conditions of probation. In the event Respondent is attending a nursing program, Respondent shall provide a copy of the entire Consent Agreement and Order to the Program Director. Respondent shall cause the Program Director to inform the Board, in writing and on school letterhead, acknowledgment of the program's receipt of a copy of the Consent



Agreement and Order and the program's ability to comply with the conditions of probation during clinical experiences.

12. Quarterly Reports

Within thirty days of the effective date of this Order, and quarterly thereafter, Respondent shall cause every employer Respondent has worked for to submit to the Board, in writing, quarterly employer evaluations on the Board-approved form. In the event Respondent is not employed in nursing or attending school during any quarter or portion thereof, Respondent shall submit to the Board, in writing, a self-report describing other employment or activities on the Board-approved form.

Receipt of confirmation of employment disciplinary action, including written counseling(s), suspension, termination or resignation in lieu of termination from a place of employment, any of which pertains to improper patient care, unsafe practice, inappropriate medication removal or administration, sub-standard documentation, or impairment on duty, positive drug test showing evidence of any drug other than an authorized drug, and/or refusal to submit to an employer requested drug screen/testing, shall be investigated by Board staff and reviewed and substantiated by the Board's designee. If so investigated, reviewed and substantiated, the employment disciplinary action shall be considered as noncompliance with the terms of the Order, and the stay of revocation shall be lifted and Respondent's license automatically revoked. If Respondent contests the lifting of the stay as it relates to this paragraph, Respondent shall request in writing, within ten days of being notified of the automatic revocation of licensure, that the matter be placed on the Board agenda for the Board to review and determine if the automatic revocation of Respondent's license was supported by substantial evidence. If the written request is received within ten days of a regularly scheduled Board meeting, the request will NOT be heard at that meeting, but will

be heard at the NEXT regularly scheduled Board meeting. Pending the Board's review, Applicant's/Respondent's license shall be reported as revoked – under review. Respondent may not work in any capacity involving nursing licensure pending the Board's review. The Board's decision and Order shall not be subject to further review.

Failure to provide employer evaluations or if not working in nursing, self-reports, within seven days of the reporting date is non-compliance with this Order and is not subject to further review.

13. Practice Under On-Site Supervision

Respondent shall practice as a registered nurse only under the on-site supervision of a registered nurse in good standing with the Board. On-site supervision is defined as having a registered nurse present in the building while Respondent is on duty. The supervising nurse shall have read this Consent Agreement and Order and shall provide input on Respondent's employer evaluations to the Board. The supervising nurse shall be primarily one person, who may periodically delegate to other qualified registered nurses who shall also have read this Consent Agreement and Order. In the event that the assigned supervising nurse is no longer responsible for the supervision required by this paragraph, Respondent shall cause her new supervising nurse to inform the Board, in writing and on employer letterhead, acknowledging the new supervisor's receipt of a copy of this Consent Agreement and Order and the new supervising nurse's ability to comply with the conditions of probation within ten days of assignment of a new supervising nu

14. Acceptable Hours of Work

Respondent shall work only the day or evening shift. Evening shift is defined as a shift that ends prior to midnight. Within a 14-day period Respondent shall not work more than 84 scheduled hours.

Respondent may work three 12-hour shifts in one seven day period and four 12-hour shifts in the other seven-day period, but Respondent may not work more than three consecutive 12-hour shifts during this probationary period. Respondent shall not work two consecutive 8-hour shifts within a 24 hour period or be scheduled to work sixteen hours within a 24 hour period.

15. Registry Work Prohibited

Respondent may not work for a nurse's registry, home health, traveling nurse agency, any other temporary employing agencies, float pool, or position that requires on-call status.

16. Out of State Practice/Residence

Before any out-of-state practice or residence can be credited toward fulfillment of these terms and conditions, the Board must first approve out-of-state practice or residence.

17. Release of Information Forms

Respondent shall sign all release of information forms as required by the Board or its designee and return them to the Board within ten days of the Board's written request. Failure to provide for the release of information, as required by this paragraph constitutes non-compliance with this Order.

18. Interview with the Board or its Designee

Respondent shall appear in person or if residing out of state, telephonically for interviews with the Board or its designee upon request and with at least two days notice.

19. Renewal of License

If Respondent's registered nursing is expired at the time of the effective date of the Consent Agreement and Order, Respondent must renew the license within seven days of the effective date. In the event the registered license is scheduled to expire during the duration of this Order, Respondent shall apply for renewal of the registered license and pay the applicable fee.

before the expiration date. Failure to renew within seven days of the effective date of this Order, if it is expired, or failure to renew a license by the last date in which the license is to expire, shall be considered as noncompliance.

20. Change of Employment/Personal Address/Telephone Number

Respondent shall notify the Board, in writing, within seven days of any change in nursing employment, personal address or telephone number. Changes in nursing employment include the acceptance, resignation or termination of employment.

21. Obey All Laws

Respondent shall obey all laws/rules governing the practice of nursing in this state and obey all federal, state and local criminal laws. Respondent shall report to the Board, within ten days, any misdemeanor or felony arrest or conviction.

22. Costs

Respondent shall bear all costs of complying with this Order.

23. Voluntary Surrender of License

Respondent may, at any time this Order is in effect, voluntarily request surrender of her license.

24. Violation of Probation

If during the stayed revocation portion of the Order Respondent is non-compliant with the terms of the Order in any way, the stay of revocation shall be lifted and Respondent's license shall be automatically revoked. If during the standard probation portion of the Order Respondent is noncompliant with the terms of the Order in any respect, the Board staff may notify the Respondent's employer of the non-compliance. Additionally, the Board may revoke probation and take further disciplinary action for noncompliance with this Consent Agreement and Order after affording Respondent notice and the opportunity to be heard. If a complaint or

petition to revoke probation is filed against Respondent during probation, the Board shall have continuing jurisdiction until the matter is final, and the period of probation shall be extended until the matter is final.

25. Completion of Order

When Respondent has nine months left in the probationary period, Respondent's compliance will be reviewed by the Board's designee. If Respondent has demonstrated full compliance with all terms of the Order, Respondent will be eligible to participate in a "stepdown" component of the Order where reports from AA and Nurse Recovery Group will no longer be required, and Respondent shall submit to "on-call" urine drug screens as requested by the Board or its designee.

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Respondent is not eligible for early termination of this Order. Upon successful completion of the Order, Respondent shall request formal review by the Board, and after formal review by the Board, Respondent's nursing license may be fully restored by the appropriate Board action if compliance with this Order has been demonstrated.

ARIZONA STATE BOARD OF NURSING

SEAL

Joey Ridenour R.N. M.N. F.A.A.N.  
Joey Ridenour, R.N., M.N., F.A.A.N.  
Executive Director

Dated: November 19, 2009

JR/CL:oz

COPY mailed this 1<sup>st</sup> day of December 2009, by First Class Mail, to:

Marie Amy Harris  
3325 1/2 North Grannen Road  
Tucson, Arizona 85745

By: Olga Zuniga

Revised 03/2002, 11/2007

Janice K. Brewer  
Governor



Joey Ridenour  
Executive Director

### Arizona State Board of Nursing

4747 North 7<sup>th</sup> Street, Suite 200  
Phoenix AZ 85014-3655  
Phone (602) 771-7800 Fax (602) 771-7888  
E-Mail: [arizona@azbn.gov](mailto:arizona@azbn.gov)  
Home Page: <http://www.azbn.gov>

#### AFFIDAVIT OF CUSTODIAN OF RECORDS

STATE OF ARIZONA

COUNTY OF MARICOPA

I, Joey Ridenour, Executive Director for the Arizona State Board of Nursing, County of Maricopa, State of Arizona, do hereby certify that I am the officer having the legal custody for the records hereto attached in the office of the Arizona State Board of Nursing, County of Maricopa, State of Arizona, a public office of said State. The attached copies are true copies of the records on **MARIE AMY HARRIS**. Personnel of the Arizona State Board of Nursing prepared the records during the ordinary course of business.

Witness my hand and the seal of the Arizona State Board of Nursing at 4747 N. 7th Street, Suite 200, Phoenix, Arizona 85014-3655 on December 30, 2009.

SEAL

*Joey Ridenour R.N. M.N. F.A.A.N.*

Joey Ridenour, R.N., M.N., F.A.A.N.  
Executive Director

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**EXHIBIT B**

Letter of January 18, 2011 and Notice of Revocation



Janice K. Brewer  
Governor



Joey Ridenour  
Executive Director

## Arizona State Board of Nursing

4747 North 7th Street, Suite 200  
Phoenix, AZ 85014-3655  
Phone (602) 771-7800 Fax (602) 771-7882  
E-Mail: [arizona@azbn.gov](mailto:arizona@azbn.gov)  
Home Page: <http://www.azbn.gov>

January 18, 2011

Marie A. Harris  
3325 North Grannen Road  
Tucson, AZ. 85745

RE: Consent Agreement and Order No. 0909019  
License No. RN118277

Dear Ms. Harris:

Enclosed is a Notice of Revocation, providing notice to you that the Arizona State Board of Nursing ("Board") automatically revoked your registered nurse license number RN118277 on January 18, 2011. Your license was automatically revoked because of your non-compliance with the terms of Stayed Revocation Probation in Consent Agreement and Order No. 0909019, which became effective on December 29, 2009.

**Paragraph B. — Order...** "If Respondent is non-compliant with any of the terms of the Order during the twelve month stayed revocation period, the stay of the revocation shall be lifted and Respondent's license shall be automatically revoked for a minimum of five-years. Except as provided in paragraph 5, pages 10 and 11 and paragraph 12, pages 15 and 16 of this Order, the Board or its designee, in its sole discretion, shall determine noncompliance with the stayed portion of the Order. With the exception of the provisions identified in paragraph 5, pages 10 and 11 and paragraph 12, pages 15 and 16, Respondent waives any and all rights to any further review, hearing, rehearing or judicial review of any revocation imposed pursuant to this paragraph."

Documentation in your monitoring file at the Board indicates that you were non-compliant with the following terms of the Stayed Revocation Probation:

**Paragraph 3. — Nurse Recovery Group:**

Within seven days of the effective date of this Order, Respondent shall enroll in a Board-acceptable Nurse Recovery Group if a group is available within forty miles. Respondent shall sign release of information forms allowing the group facilitator to inform the Board, in writing and on letterhead, of Respondent's entry and progress in the group. Respondent shall attend a Nurse Recovery Group once per week and have no "Unexcused" absences or "No call/No show" occurrences.

*You failed to attend nurse recovery group in June, July August and in October 2010 and the nurse recovery group facilitator reported this as unexcused absences, in violation of Consent Agreement and Order No. 0909019.*

Paragraph 5. — Drug Testing:

"Within seven days of the effective date of this Order, and throughout the term of this Order, Respondent shall remain enrolled in a program that meets Board criteria for random drug testing. Random drug testing shall be done at a minimum of twice per month, for a period of eighteen months, thereafter, a minimum of once per month, and may be required more frequently as requested by the Board or its designee. Respondent shall notify the drug testing laboratory and the Board, in writing, of unavailability to test before the anticipated absence. If Respondent is unable to submit a specimen on a date requested due to illness, Respondent must provide in writing within seven days of the missed specimen, documentation from a medical provider who has personally seen Respondent on the day of the requested drug test confirming that Respondent was not physically able to report to the laboratory for drug testing. Otherwise failing to submit to a drug test on a day when a drug test has been requested by the Board, its designee, or the laboratory will constitute noncompliance with this Order, NOT subject to further review. A positive drug test showing evidence of any drug other than an authorized drug shall result in immediate notification of Respondent's employer by the Board. However, any occurrence of the following constitutes noncompliance with this Order, subject to further review if contested in writing by Respondent: a positive drug test showing evidence of any drug other than an authorized drug; submission of a specimen where the integrity has been compromised as indicated by the presence of adulterants; or submission of a urine sample that is below the acceptable volume or temperature to be tested. If contested by Respondent, Respondent shall, within five days of being notified of the noncompliance, submit a written request for further review and the reason(s) for contesting the results. If so contested, the noncompliance shall be investigated by Board staff and reviewed and substantiated by the Board's designee, to include a written verification attesting to the validity and reliability of Respondent's drug screening results from the Toxicologist or Medical Review Officer affiliated with the drug screening laboratory. If so investigated, reviewed, substantiated and verified, the stay of revocation shall be lifted and Respondent's license automatically revoked, NOT subject to further review."

*You were assigned the color "apricot" when you enrolled in the drug testing program, and according to Sonora Quest Laboratories Calendar, the color "apricot" was chosen on September 22, 2010. You failed to submit a specimen for drug testing, in violation of Consent Agreement and Order No. 0909019.*

Paragraph 9. — Pharmacy Profiles:

Throughout the duration of this Order, Respondent shall use only one pharmacy from which to obtain his prescriptions. Within thirty days of the effective date of the Consent Agreement, Respondent shall submit in writing to the Board the name of every pharmacy and/or facility from which Respondent is currently obtaining prescription medications, and shall submit the name of the pharmacy from which she chooses to obtain future prescriptions. Throughout the duration of the Order, Respondent must inform the Board in writing within seven days of any additions or changes in pharmacies from which Respondent obtains medications. Respondent shall submit a copy of all pharmacy profiles to the Board on a quarterly basis according to the assigned reporting due dates, and

upon request from the Board or its designee. The first report shall be due on the first quarterly due date after the effective date of this Order.

*You failed to submit a pharmacy profile for the reporting period ending October 2010, in violation of Consent Agreement and Order No. 0909019.*

**Paragraph 12. — Quarterly Reports:**

Within thirty days of the effective date of this Order, and quarterly thereafter, Respondent shall cause every employer Respondent has worked for to submit to the Board, in writing, quarterly employer evaluations on the Board-approved form. In the event Respondent is not employed in nursing or attending school during any quarter or portion thereof, Respondent shall submit to the Board, in writing, a self-report describing other employment or activities on the Board-approved form.

Receipt of confirmation of employment disciplinary action, including written counseling(s), suspension, termination or resignation in lieu of termination from a place of employment, any of which pertains to improper patient care, unsafe practice, inappropriate medication removal or administration, sub-standard documentation, or impairment on duty, positive drug test showing evidence of any drug other than an authorized drug, and/or refusal to submit to an employer requested drug screen/testing, shall be investigated by Board staff and reviewed and substantiated by the Board's designee. If so investigated, reviewed and substantiated, the employment disciplinary action shall be considered as noncompliance with the terms of the Order, and the stay of revocation shall be lifted and Respondent's license automatically revoked. If Respondent contests the lifting of the stay as it relates to this paragraph, Respondent shall request in writing, within ten days of being notified of the automatic revocation of licensure, that the matter be placed on the Board agenda for the Board to review and determine if the automatic revocation of Respondent's license was supported by substantial evidence. If the written request is received within ten days of a regularly scheduled Board meeting, the request will NOT be heard at that meeting, but will be heard at the NEXT regularly scheduled Board meeting. Pending the Board's review, Applicant's/Respondent's license shall be reported as revoked – under review. Respondent may not work in any capacity involving nursing licensure pending the Board's review. The Board's decision and Order shall not be subject to further review.

Failure to provide employer evaluations or if not working in nursing, self-reports, within seven days of the reporting date is non-compliance with this Order and is not subject to further review.

*You begin employed with University Physicians Hospital in Tucson, Arizona on June 15, 2009 and terminated on March 22, 2010. According to the employment file you were terminated for violations of company policies that govern medication administration, medication documentation, and administration of controlled drugs, as a result of a medication audit conducted, you administered three times more dosages of a narcotic than other nursing staff.*

Marie A. Harris  
January 18, 2011  
Page 4

Paragraph 18. — Interview with the Board or its Designee:

Respondent shall appear in person or if residing out of state, telephonically for interviews with the Board or its designee upon request and with at least two days notice.

*On or about October 21, 2010, Board staff sent you to an e-mail message to contact staff to schedule an appointment to discuss your noncompliance. To date you failed to contact Board staff, in violation of Consent Agreement.*

Paragraph 20. — Change of Employment/Personal Address/Telephone Number:

Respondent shall notify the Board, in writing, within seven days of any change in nursing employment, personal address or telephone number. Changes in nursing employment include the acceptance, resignation or termination of employment.

*You failed to notify the board, in writing, with in seven day of any change in your nursing employment including a resignation or termination, in violation of Consent Agreement and Order No. 0909019.*

The conduct and circumstances described above constitute violations of A.R.S. § 32-1663(D) as defined in A.R.S. § 32-1601(18)(i) and (j).

As indicated in the Notice of Revocation, you are eligible to apply for reissuance of your nursing license on or after January 18, 2011. If you have any questions regarding this letter or the Notice of Revocation, please call me, Joey Ridenour, R.N., M.N., F.A.A.N., at (602) 771-7801.

Sincerely,

*Joey Ridenour R.N. M.N. F.A.A.N.*

Joey Ridenour, R.N., M.N., F.A.A.N.  
Executive Director

JR/dh

Enclosure

BEFORE THE ARIZONA STATE BOARD OF NURSING

IN THE MATTER OF THE DISCIPLINARY  
ACTION AGAINST REGISTERED NURSE  
LICENSE NO. RN118277  
ISSUED TO:

NOTICE OF REVOCATION

MARIE AMY HARRIS

The Arizona State Board of Nursing hereby gives notice that the registered nurse license number RN118277, issued to Marie Amy Harris, is hereby revoked in accordance with the provisions of Consent Agreement and Order No. 0909019 and is effective upon the date of this Notice of Revocation.

Pursuant to R4-19-404(B), Marie Amy Harris may apply for reissuance of said license after a period of five years.

DATED this 18<sup>th</sup> day of January, 2011.

SEAL

ARIZONA STATE BOARD OF NURSING

*Joey Ridenour R.N., M.N., F.A.A.N.*

Joey Ridenour, R.N., M.N., F.A.A.N.  
Executive Director

Dated: January 18, 2011

JR/tb:bs

COPY mailed this 18<sup>th</sup> day of January, 2011, by Certified Mail No. 7009 0080 0000 0433 1960  
and First Class mail to:

Marie Amy Harris  
3325 North Grannen Road  
Tucson, Arizona. 85745

By: Brent Sutter  
Legal Secretary

Janice K. Brewer  
Governor



Joey Ridenour  
Executive Director

*Arizona State Board of Nursing*

4747 North 7th Street, Suite 200  
Phoenix, AZ 85014-3655  
Phone (602) 771-7800 Fax (602) 771-7882  
E-Mail: [arizona@azbn.gov](mailto:arizona@azbn.gov)  
Home Page: <http://www.azbn.gov>

**AFFIDAVIT OF CUSTODIAN OF RECORDS**

STATE OF ARIZONA

COUNTY OF MARICOPA

I, Joey Ridenour, Executive Director for the Arizona State Board of Nursing, County of Maricopa, State of Arizona, do hereby certify that I am the officer having the legal custody for the records hereto attached in the office of the Arizona State Board of Nursing, County of Maricopa, State of Arizona, a public office of said State. The attached copies are true copies of the records on Marie Amy Harris. Personnel of the Arizona State Board of Nursing prepared the records during the ordinary course of business.

Witness my hand and the seal of the Arizona State Board of Nursing at 4747 N. 7<sup>th</sup> Street, Suite 200, Phoenix, Arizona 85014-3655 on January 18, 2011.

SEAL

*Joey Ridenour R.N. M.N. F.A.A.N.*

Joey Ridenour, R.N., M.N., F.A.A.N.  
Executive Director